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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/376,384	08/16/1999	GERSHON BAR-ON	U013169-9	6449

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EXAMINER

HOFFMAN, BRANDON S

ART UNIT PAPER NUMBER

2136

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/376,384

Applicant(s)

BAR-ON, GERSHON

Examiner

Brandon S Hoffman

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 78,80-82 and 84-86 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 78,80-82 and 84-86 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/27/04
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Miscellaneous Matters***

This action is being sent in response to the amendment filed November 12, 2004. The previous office action, mailed on July 19, 2004, was meant to be a Non-Final Office Action—even though the Office Action Summary (form PTO-326) indicated a Final Office Action. Because of this, applicant was in a position of replying to a Final Office action, thus requiring more stringent time and money restrictions. This action is meant to clarify the record that the previously sent office action was a Non-Final action. Therefore, the After-Final response should instead be a response to Non-Final Action.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 78, 80, 81, and 84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moos (U.S. Patent No. 5,881,152).

Regarding claim 78, Moos teaches a method for protecting access to content recorded on a media recording disk (DVD), comprising:

- Providing a disk security chip on the DVD, said disk security chip managing access to the content of the DVD (col. 1, line 66 through col. 2, line 3);

- Providing a corresponding player security chip in a DVD player which is operative to play the DVD, said player security chip managing use of a data stream received from the DVD (col. 2, lines 53-55); and
- Providing said disk security chip with a disk key not known to a disk manufacturer (col. 1, lines 6-8 shows the need to prevent and identify tampering of stored data, it would stand to reason that the disk key is not known to a disk manufacturer because as more people learn the key, the more prone the key is to compromise. The disk manufacturer does not need to know the key to place the chip on the disk);
- **Wherein said disk security chip, after assuring that said DVD player is authentic, sends said DVD player said disk key** (col. 3, lines 1-14).

Moos does not specifically teach a wireless communication between the disk security chip and the player security chip, although Moos suggests logical connections and reading/writing to the security chip using chip contact surfaces according to ISO standards (col. 2, lines 46-52 and col. 4, lines 4-11).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine wireless communication between the disk security chip and the player security chip, with the method of Moos. It would have been obvious for such modifications because wireless communications allows the disk chip and player chip to communicate without using the bandwidth of the read head or laser device.

Regarding claim 80, Moos as modified teaches comprising encrypting contents of said DVD with a content key (col. 1, lines 53-55).

Regarding claim 81, Moos as modified teaches comprising performing an authentication process between said disk security chip and said player security chip (col. 2, lines 29-32 and lines 43-45).

Regarding claim 84, Moos as modified teaches wherein said disk security chip, after assuring that said DVD player is authentic, sends said DVD player said disk key encrypted with said player key (col. 3, lines 1-14, the disk key is encrypted through a challenge-response system and a symmetric key).

Claim 82 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moos (USPN '152) in view of Menezes (Applied Handbook of Cryptography, pages 406-410).

Regarding claim 82, Moos as modified teaches all the limitations of claims 78 and 81, above. However, Moos as modified does not teach wherein said authentication process comprises a mutual zero-knowledge interaction authentication process.

Menezes teaches wherein said authentication process comprises a mutual zero-knowledge interaction authentication process (page 406-410).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine a mutual zero-knowledge interaction authentication process, as taught by Menezes, with the method of Moos. It would have been obvious for such modifications because there is no leakage of information in either direction.

Claims 85 and 86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moos (USPN '152) in view of Litman (U.S. Patent No. 5,988,500).

Regarding claim 85, Moos as modified teaches all the limitations of claim 78, above. However, Moos as modified does not teach wherein said play security chip verifies legitimacy of said disk key as a function of a geometric property of said DVD.

Litman teaches wherein said play security chip verifies legitimacy of said disk key as a function of a geometric property of said DVD (col. 7, lines 31-51 and col. 17, lines 32-35).


It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine verifying legitimacy of said disk key as a function of a geometric property of said DVD, as taught by Litman, with the method of Moos. It would have been obvious for such modifications because variation of geometry is hard to copy when copying information onto a new disk. This is desirable because the purpose the invention is to prevent copying of data from an optical medium.


Regarding claim 86, the combination of Moos in view of Litman teaches wherein said DVD is a multi-layer DVD and said geometric property is an angle between layers of said DVD (see col. 17, lines 32-35 of Litman).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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